

To: Benjamin A. Costa(trademark@rcjlawgroup.com)
Subject: U.S. Trademark Application Serial No. 97031457 - WORLD APP
Sent: January 24, 2023 04:12:53 PM EST
Sent As: tmng.notices@uspto.gov

Attachments

[2023-01-23_97031457-1.jpg](#)
[2023-01-23_97031457-2.jpg](#)
[2023-01-23_97031457-3.jpg](#)
[2023-01-23_97031457-4.jpg](#)
[2023-01-23_97031457-5.jpg](#)
[2023-01-23_97031457-6.jpg](#)

United States Patent and Trademark Office (USPTO)
Office Action (Official Letter) About Applicant's Trademark Application

U.S. Application Serial No. 97031457

Mark: WORLD APP

Correspondence Address:

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Covina CA 91723 UNITED STATES

Applicant: Tools for Humanity Corp.

Reference/Docket No. N/A

Correspondence Email Address: trademark@rcjlawgroup.com

FINAL OFFICE ACTION

Response deadline. File a request for reconsideration of this final Office action and/or a timely appeal to the Trademark Trial and Appeal Board (TTAB) within three months of the “Issue date” below to avoid [abandonment](#) of the application. Review the Office action and respond using one of the links below to the appropriate electronic forms in the “How to respond” section below.

Request an extension. For a fee, applicant may [request one three-month extension](#) of the response deadline prior to filing a response and/or an appeal. The request must be filed within three months of the “Issue date” below. If the extension request is granted, the USPTO must receive applicant's response and/or appeal within six months of the “Issue date” to avoid abandonment of the application.

Issue date: January 24, 2023

INTRODUCTION

This Office action is in response to applicant's communication filed on December 26, 2022.

In a previous Office action dated June 30, 2022, the trademark examining attorney refused registration of the applied-for mark based on the following: Trademark Act Section 2(e)(1) - Descriptiveness Refusal. In addition, applicant was required to satisfy the following requirements: (1) amend the identification of goods and services, and (2) provide a valid domicile.

Based on applicant's response, the trademark examining attorney notes that the following requirements have been satisfied: (1) definite amended identification provided and (2) valid domicile provided. *See* TMEP §§713.02, 714.04.

Further, the trademark examining attorney maintains and now makes FINAL the refusal in the summary of issues below. *See* 37 C.F.R. §2.63(b); TMEP §714.04.

SUMMARY OF ISSUES MADE FINAL that applicant must address:

- Section 2(e)(1) - Descriptiveness Refusal

SECTION 2(e)(1) – DESCRIPTIVENESS REFUSAL

Registration is refused because the applied-for mark merely describes a feature of applicant's goods and services. Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); *see* TMEP §§1209.01(b), 1209.03 *et seq.*

A mark is merely descriptive if it describes an ingredient, quality, characteristic, function, feature, purpose, or use of an applicant's goods and services. TMEP §1209.01(b); *see, e.g., In re TriVita, Inc.*, 783 F.3d 872, 874, 114 USPQ2d 1574, 1575 (Fed. Cir. 2015) (quoting *In re Oppedahl & Larson LLP*, 373 F.3d 1171, 1173, 71 USPQ2d 1370, 1371 (Fed. Cir. 2004)); *In re Steelbuilding.com*, 415 F.3d 1293, 1297, 75 USPQ2d 1420, 1421 (Fed. Cir. 2005) (citing *Estate of P.D. Beckwith, Inc. v. Comm'r of Patents*, 252 U.S. 538, 543 (1920)).

Generally, if the individual components of a mark retain their descriptive meaning in relation to the goods and services, the combination results in a composite mark that is itself descriptive and not registrable. *In re Fat Boys Water Sports LLC*, 118 USPQ2d 1511, 1516 (TTAB 2016) (citing *In re Tower Tech, Inc.*, 64 USPQ2d 1314, 1317-18 (TTAB 2002)); TMEP §1209.03(d); *see, e.g., In re Cannon Safe, Inc.*, 116 USPQ2d 1348, 1351 (TTAB 2015) (holding SMART SERIES merely descriptive of metal gun safes); *In re King Koil Licensing Co.*, 79 USPQ2d 1048, 1052 (TTAB 2006) (holding THE BREATHABLE MATTRESS merely descriptive of beds, mattresses, box springs, and pillows).

Only where the combination of descriptive terms creates a unitary mark with a unique, incongruous, or otherwise non-descriptive meaning in relation to the goods and services is the combined mark registrable. *See In re Colonial Stores, Inc.*, 394 F.2d 549, 551, 157 USPQ 382, 384 (C.C.P.A. 1968); *In re Positec Grp. Ltd.*, 108 USPQ2d 1161, 1162-63 (TTAB 2013).

In this case, both the individual components and the composite result are descriptive of applicant's goods and services and do not create a unique, incongruous, or non-descriptive meaning in relation to the goods and services. Specifically, applicant seeks registration of the applied-for mark in association with:

"Downloadable computer software for use as a cryptocurrency wallet; Downloadable computer software for use as a cryptocurrency wallet, namely, a non-custodial cryptocurrency wallet; Downloadable computer software for use as a cryptocurrency wallet, namely, a non-custodial cryptocurrency wallet provided as a downloadable web browser extension; Downloadable computer software for use as an electronic wallet; Downloadable computer software for use as an electronic wallet, namely, a non-custodial electronic wallet; Downloadable computer software for use as an electronic wallet, namely, a non-custodial electronic wallet provided as a downloadable web browser extension; Downloadable computer software for use as a digital wallet; Downloadable computer software for use as a digital wallet, namely, a non-custodial digital wallet; Downloadable computer software for use as a digital wallet, namely, a non-custodial digital wallet provided as a downloadable web browser extension; Downloadable computer software for connecting users to third party cryptocurrency services; Downloadable computer software for connecting users to third party identity verification services; Downloadable payment authentication and secure transaction software; Downloadable software for processing electronic payments and digital asset transfers; Downloadable software for creating stored value accounts; Downloadable software for transmission, storage, and retrieval of financial data; Downloadable user identity authentication and verification software; Downloadable user identity authentication and verification software for purposes of uniqueness verification, identity verification, cryptocurrency wallet creation, cryptocurrency deposit, and assisting users in complying with associated regulatory requirements," in International Class 009;

"Providing on-line non-downloadable computer software for use as a cryptocurrency wallet; Providing on-line non-downloadable computer software for use as a cryptocurrency wallet, namely, a non-custodial cryptocurrency wallet; Providing on-line non-downloadable computer software for use as an electronic wallet; Providing on-line non-downloadable computer software for use as an electronic wallet, namely, a non-custodial electronic wallet; Providing on-line non-downloadable computer software for use as a digital wallet; Providing on-line non-downloadable computer software for use as a digital wallet, namely, a non-custodial digital wallet; Providing on-line non-downloadable computer software and a website featuring technology for connecting users to third party cryptocurrency services; Providing on-line non-downloadable computer software and a website for connecting users to third party identity verification services; Providing on-line non-downloadable computer software for payment authentication and secure transaction verification; Providing on-line non-downloadable computer software for processing electronic payments and digital asset transfers; Providing on-line non-downloadable computer software for creating stored value accounts; Providing on-line non-downloadable computer software for transmission, storage, and retrieval of financial data; Providing on-line non-downloadable computer software for user identity authentication and verification; Providing on-line non-downloadable computer software for user identity authentication and verification for purposes of uniqueness verification, identity verification, cryptocurrency wallet creation, cryptocurrency deposit, and assisting users in complying with associated regulatory requirements," in International Class 042.

As previously noted, "[t]he world refers to all of the people who live on this planet." See previously attached evidence from Collinsdictionary.com. The wording "**APP**" is short for "application," and commonly refers to computer software applications. See previously attached Internet evidence from Merriam-Webster.com. Applicant's goods and services are downloadable and online software

applications including software *applications* used on mobile phones, which are used by people throughout the "**WORLD**". Therefore, the wording "**WORLD**" refers to the scope of applicant's intended users. A mark that describes an intended user or group of users of a product or service is merely descriptive. *E.g.*, *In re Planalytics, Inc.*, 70 USPQ2d 1453 (TTAB 2004) (holding GASBUYER merely descriptive of intended user of risk management services in the field of pricing and purchasing natural gas); *In re Camel Mfg. Co.*, 222 USPQ 1031 (TTAB 1984) (holding MOUNTAIN CAMPER merely descriptive of intended users of retail and mail order services in the field of outdoor equipment and apparel); *see* TMEP §1209.03(i).

Thus, here the individual descriptive words in this applied-for mark retain their descriptive nature when they are used together here, as they describe the worldwide use of applicant's software application. Accordingly, registration is refused under Section 2(e)(1).

Applicant's Arguments against the Refusal are Unpersuasive

Applicant asserts that the wording in the mark is not "100% descriptive," which means the mark as a whole is not descriptive. The trademark examining attorney disagrees with applicant's premise based on the cited treatise. It is well established that "[w]hether consumers could guess what the product [or service] is from consideration of the mark alone is not the test." *In re Am. Greetings Corp.*, 226 USPQ 365, 366 (TTAB 1985). The question is not whether someone presented only with the mark could guess what the goods or services are, but "whether someone who knows what the goods and services are will understand the mark to convey information about them." *DuoProSS Meditech Corp. v. Inviro Med. Devices, Ltd.*, 695 F.3d 1247, 1254, 103 USPQ2d 1753, 1757 (Fed. Cir. 2012) (quoting *In re Tower Tech, Inc.*, 64 USPQ2d 1314, 1316-17 (TTAB 2002)); *In re Mueller Sports. Med., Inc.*, 126 USPQ2d 1584, 1587 (TTAB 2018). In the present case, a consumer would immediately understand that applicant offers a software application for worldwide use. Applicant asserts no other interpretation for this wording.

Applicant asserts that the wording in the mark is so broad and weak that it cannot be descriptive of anything. Then, the applicant acknowledges the descriptive meaning by stating that "the term WORLD may be used in connection with any good or service that is *global* in nature, or that is offered to a *global* audience[.]" Thus, applicant's very argument acknowledges that the wording "WORLD" would be perceived as merely describing goods and services as "global" in nature. TMEP §1209.03(o) specifically states:

The terms "NATIONAL" and "INTERNATIONAL" have been held to be merely descriptive of services that are nationwide or international in scope. See *In re Chamber of Commerce of the U.S.*, 675 F.3d 1297, 102 USPQ2d 1217 (Fed. Cir. 2012) (NATIONAL CHAMBER merely descriptive of nationwide online directory services featuring information regarding local and state chambers of commerce and business and regulatory data analysis services for nationally promoting the interests of businesspersons or industry); *In re Institutional Investor, Inc.*, 229 USPQ 614 (TTAB 1986) (INTERNATIONAL BANKING INSTITUTE for organizing seminars for bank leaders of major countries held incapable); *In re Billfish Int'l Corp.*, 229 USPQ 152 (TTAB 1986) (BILLFISH INTERNATIONAL CORPORATION merely descriptive of corporation involved with billfish on an international scale); *In re Nat'l Rent A Fence, Inc.*, 220 USPQ 479 (TTAB 1983) (NATIONAL RENT A FENCE merely descriptive of nationwide fence

rental services); *BankAmerica Corp. v. Int'l Travelers Cheque Co.*, 205 USPQ 1233 (TTAB 1979) (INTERNATIONAL TRAVELERS CHEQUE merely descriptive of financial consulting services that are international in scope); *Nat'l Fid. Life Ins. v. Nat'l Ins. Trust*, 199 USPQ 691 (TTAB 1978) (NATIONAL INSURANCE TRUST merely descriptive of services of handling administrative matters in locating suitable insurance coverage for attorneys); *Jefferson Bankshares Inc. v. Jefferson Sav. Bank*, 14 USPQ2d 1443, 1447 (W.D. Va. 1989) (NATIONAL BANK merely descriptive of banking services); *Nat'l Auto. Club v. Nat'l Auto Club, Inc.*, 365 F. Supp. 879, 180 USPQ 777 (S.D.N.Y. 1973), *aff'd*, 502 F.2d 1162 (2d Cir. 1974) (NATIONAL merely descriptive of auto club services).

The terms "GLOBAL" and "WORLDWIDE" are also considered to be merely descriptive of services that are global or worldwide in scope.

Note: A map of the world or a depiction of a globe generally is not considered the pictorial equivalent of the terms "INTERNATIONAL," "GLOBAL," or "WORLDWIDE."

(emphasis added).

Despite the applicant's argument that wording "**WORLD**" does not tell applicant anything about the goods, all of the evidence in this case is clearly to the contrary.

Applicant avers that the wording "**APP**" has other meanings such as "appetizer." Yet, descriptiveness is considered in relation to the relevant goods and services. *DuoProSS Meditech Corp. v. Inviro Med. Devices, Ltd.*, 695 F.3d 1247, 1254, 103 USPQ2d 1753, 1757 (Fed. Cir. 2012). "That a term may have other meanings in different contexts is not controlling." *Robinson v. Hot Grabba Leaf, LLC*, 2019 USPQ2d 149089, at *5 (TTAB 2019) (citing *In re Canine Caviar Pet Foods, Inc.*, 126 USPQ2d 1590, 1598 (TTAB 2018)); TMEP §1209.03(e). "It is well settled that so long as any one of the meanings of a term is descriptive, the term may be considered to be merely descriptive." *In re Mueller Sports Med., Inc.*, 126 USPQ2d 1584, 1590 (TTAB 2018) (quoting *In re Chopper Indus.*, 222 USPQ 258, 259 (TTAB 1984)).

Furthermore, the attached Internet evidence reveals that the wording "WORLD" and "APP" are commonly used in association with software applications to describe their global nature. Websites, webpages, and dictionaries are generally competent sources for determining how the public perceives the mark in connection with applicant's goods and services. *See In re N.C. Lottery*, 866 F.3d 1363, 1367-68, 123 USPQ2d 1707, 1709-10 (Fed. Cir. 2017); *In re Nett Designs, Inc.*, 236 F.3d 1339, 1341, 57 USPQ2d 1564, 1566 (Fed. Cir. 2001) (citing *In re Bed & Breakfast Registry*, 791 F.2d 157, 160, 229 USPQ 818, 819 (Fed. Cir. 1986)); TMEP §1209.01(b).

Finally, applicant argues that any doubt regarding the mark's descriptiveness should be resolved on applicant's behalf. *E.g.*, *In re Merrill Lynch, Pierce, Fenner & Smith, Inc.*, 828 F.2d 1567, 1571, 4 USPQ2d 1141, 1144 (Fed. Cir. 1987); *In re Zuma Array Ltd.*, 2022 USPQ2d 736, at *8 (TTAB 2022)

(quoting *In re Fallon*, 2020 USPQ2d 11249, at *8 (TTAB 2020)). However, in the present case, the evidence of record leaves no doubt that the mark is merely descriptive.

Applicant's mark is merely descriptive. Accordingly, registration is refused pursuant to Trademark Act Section 2(e)(1).

SUPPLEMENTAL REGISTER

Although an amendment to the Supplemental Register would normally be an appropriate response to this refusal, such a response is not appropriate in the present case. The instant application was filed under Trademark Act Section 1(b) and is not eligible for registration on the Supplemental Register until an acceptable amendment to allege use meeting the requirements of 37 C.F.R. §2.76 has been timely filed. 37 C.F.R. §2.47(d); TMEP §§816.02, 1102.03.

If applicant files an acceptable allegation of use and also amends to the Supplemental Register, the application effective filing date will be the date applicant met the minimum filing requirements under 37 C.F.R. §2.76(c) for an amendment to allege use. TMEP §§816.02, 1102.03; see 37 C.F.R. §2.75(b). In addition, the undersigned trademark examining attorney will conduct a new search of the USPTO records for conflicting marks based on the later application filing date. TMEP §§206.01, 1102.03.

If applicant amends the application to seek registration on the Supplemental Register applicant must disclaim the wording “**APP**” because it is generic for applicant's software applications. *See* 15 U.S.C. §1052(e)(1); *DuoProSS Meditech Corp. v. Inviro Med. Devices, Ltd.*, 695 F.3d 1247, 1251, 103 USPQ2d 1753, 1755 (Fed. Cir. 2012); TMEP §§1213, 1213.03(a).

Proper Response to a Final Action

Applicant must respond within six months of the date of issuance of this final Office action or the application will be abandoned. 15 U.S.C. §1062(b); 37 C.F.R. §2.65(a). Applicant may respond by providing one or both of the following:

- (1) A response [filed using the Trademark Electronic Application System \(TEAS\)](#) that fully satisfies all outstanding requirements and/or resolves all outstanding refusals; and/or
- (2) An appeal to the Trademark Trial and Appeal Board [filed using the Electronic System for Trademark Trials and Appeals \(ESTTA\)](#) with the required filing fee of \$200 per class.

37 C.F.R. §2.63(b)(1)-(2); TMEP §714.04; *see* 37 C.F.R. §2.6(a)(18); TBMP ch. 1200.

How to respond. File a [request form for reconsideration of this final Office action](#) that fully resolves all outstanding requirements and/or refusals and/or file a timely [appeal form to the Trademark Trial and Appeal Board](#) with the required fee(s). Alternatively, applicant may file a [request form for an extension of time to file a response](#) for a fee.

/Marc Davis/
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RESPONSE GUIDANCE

- **Missing the deadline for responding to this letter will cause the application to [abandon](#).** A response, appeal, or extension request must be received by the USPTO on or before 11:59 p.m. **Eastern Time** of the last day of the response deadline. Trademark Electronic Application System (TEAS) and Electronic System for Trademark Trials and Appeals (ESTTA) [system availability](#) could affect an applicant's ability to timely respond. For help resolving technical issues with TEAS, email TEAS@uspto.gov.
- **[Responses signed by an unauthorized party](#)** are not accepted and can **cause the application to [abandon](#)**. If applicant does not have an attorney, the response must be signed by the individual applicant, all joint applicants, or someone with [legal authority to bind a juristic applicant](#). If applicant has an attorney, the response must be signed by the attorney.
- If needed, **find [contact information for the supervisor](#)** of the office or unit listed in the signature block.

GTWorld

Guaranty Trust Bank

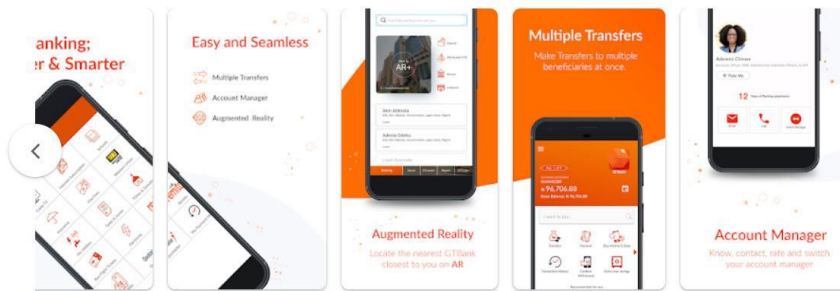
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Key Features:


- Login and complete your transactions using your face, fingerprint or a 4-digit PIN


Developer contact ▾

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Personal info, Financial info and 4 others

 Data is encrypted in transit


 Data can't be deleted

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 A Google user

★☆☆☆☆

October 2, 2019

It's terrible. It keeps crashing and now I can't even access my account. I have uninstalled and reinstalled it many times, still it was not fixed. I have never seen anything like this before. The worst app ever. Please I need immediate attention. I use samsung note 9. All

- 

Smarty's Orange Crush
Guaranty Trust Bank
- 

Food and Drink Rescue
Guaranty Trust Bank

other apps from other banks work perfectly fine. It's not a problem of phone, it's from this particular app. It's from GTWorld not phone or hardware. Please fix it. It's frustrating and disgusting.

66 people found this review helpful

Did you find this helpful? ☒ Yes ☐ No

Guaranty Trust Bank

October 4, 2019

Dear Uchenna, Our sincere apologies for the inconvenience. Please be informed that the issue has been fixed. Kindly update the app. For further enquiries, please send us an email on mobiledev@gtbank.com Warm regards



A Google user



★☆☆☆☆ February 5, 2020

This app was efficient until recently. It throws alert at will. It takes forever to log in, after logging in, try to transfer and it says try again later. I thing there is a bug in this app. You guys might want to push a patch or something to fix this as soon as you can. One should be able to rely on GT World app. Its becoming frustrating. The last time this app was updated was October 2019. Please do something. Thanks for your hardwork.

106 people found this review helpful

Did you find this helpful? ☒ Yes ☐ No

Guaranty Trust Bank

February 6, 2020

Dear Customer, Sorry about the inconvenience Kindly try again now. Regards



Jean E





Explore the world from your desktop—one photo at a time. Get the Bing Wallpaper app today.
Bring your desktop to life with daily backgrounds when you get Bing Wallpaper

No thanks

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App Privacy








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The developer, **FlowPlay**, indicated that the app's privacy practices may include handling of data as described below. For more information, see the [developer's privacy policy](#).



Data Linked to You

The following data may be collected and linked to your identity:

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-  Usage Data
-  Other Data
-  Contact Info
-  Identifiers
-  Diagnostics

Privacy practices may vary, for example, based on the features you use or your age. [Learn More](#)

Information

Seller FlowPlay Inc	Size 32.3 MB	Category Games
Compatibility iPhone Requires iOS 11.0 or later.	Languages English	Age Rating 17+ Infrequent/Mild Alcohol, Tobacco, or Drug Use or References Infrequent/Mild Mature/Suggestive Themes Frequent/Intense Simulated Gambling
iPad Requires iPadOS 11.0 or later.		
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Applications & Technology

WorldAPP

Introducing mobile inspections to streamline quality reviews for properties

WorldAPP is a mobile data collection system designed to simplify reporting of quality reviews of real estate-owned and pre-foreclosure properties. Users can utilize WorldApp to:

- Capture data about properties, and share it with Fannie Mae
- Utilize data collected in the form to feed the workflow in the Viewer Portal

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Give Feedback

- Central repository storing all completed maintenance inspections for both pre- and post-

Features

- Enable property viewing on completed maintenance inspections for both pre- and post-foreclosure assets
- Search the Viewer Portal and download inspection results based on assignments to the user
- Convert inspections to PDF by clicking on the "convert to PDF" button
- Users capture all the required information, including taking photos live with the Mobile APP, adding comments, and even drawing on the screen as needed

Benefits

- Allowing users to collect property inspection data using the convenience of their mobile device
- Saves user hours of transcribing notes and later uploading the information once they get to their office
- Live photo capture eliminating the chance of attaching an incorrect photo
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Give Feedback



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Some compound words (like *bus rapid transit*, *dog whistle*, or *identity theft*) don't appear on the drop-down list when you type them in the search bar. For best results with compound words, place a quotation mark before the compound word in the search window.

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n.

1.
 - a. The earth, especially together with the life it supports: *a chemical found all over the world; an ecological disaster that could threaten the entire world.*
 - b. The universe: *how the ancients conceived the world.*
2.
 - a. Humankind considered as social beings; human society: *turned her back on the world.*
 - b. People as a whole; the public: *The event amazed the world.*
3. often **World** A specified part of the earth: *the Western World.*
4. A part of the earth and its inhabitants as known at a given period in history: *the ancient world.*
5. A realm or domain: *the animal world; the world of imagination.*
6.
 - a. A sphere of human activity or interest: *the world of sports.*
 - b. A class or group of people with common characteristics or pursuits: *the scientific world.*
7. A particular way of life: *the world of the homeless.*
8. All that relates to or affects the life of a person: *He saw his world collapse about him.*
9. Secular life and its concerns: *a man of the world.*
10.
 - a. Human existence; life: *brought a child into the world.*
 - b. A state of existence: *the next world.*
11. often **worlds** A large amount; much: *did her a world of good; candidates that are worlds apart on foreign policy.*
12. A celestial body such as a planet: *the possibility of life on other worlds.*

adj.

1. Of or relating to the world: *a world champion.*
2. Involving or extending throughout the entire world: *a world crisis.*

Idioms:

for all the world

In all respects; precisely: *She looked for all the world like a movie star.*

in the world

Used as an intensive: *How in the world did they manage? I never in the world would have guessed.*

out of this world

Informal
Extraordinary; superb: *The dinner was out of this world.*

the world over



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Throughout the world: *known the world over*.
world *without end*
Forever.

[Middle English, from Old English *weorold*; see **wī-ro-** in the **Appendix of Indo-European roots**.]

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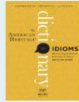
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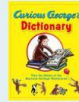
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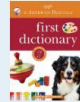
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abbr.
amyloid precursor protein

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n.
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[Short for APPLICATION.]

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